

MONTANA _____ JUDICIAL DISTRICT COURT
_____ COUNTY

In re the Marriage of:

_____,
 Petitioner (*you*),

and

_____,
☐ Respondent ☐ Co-Respondent
 (*your spouse*).

Case No: _____

Final Dissolution Decree
 Findings of Fact and Conclusions of Law

1. Procedural History.

2. On the _____ day of _____, 20____, the Petition for Dissolution was filed.
3. On the _____ day of _____, 20____, Respondent was served with the Petition and Summons.

4. Nature of the Case. Choose One.

☐ Respondent filed an answer or otherwise participated in this case.

OR

☐ Respondent did not file an answer or otherwise participate in this case. On _____ day of _____, 20____, default was entered.

5. Final Proposed Parenting Plan. Choose One.

☐ Petitioner filed and served Respondent a Proposed Parenting Plan along with the Petition and nothing has changed.

OR

☐ Circumstances have changed. ☐ Petitioner ☐ Respondent ☐ Both parties filed and served a Final Proposed Parenting Plan.

OR☐ Other:_____.**6. Final Proposed Property Distribution. Choose One.**☐ Petitioner filed and served Respondent the Property Distribution along with the Petition and nothing has changed.**OR**☐ Circumstances have changed. ☐ Petitioner ☐ Respondent ☐ Both parties have filed and served a Final Proposed Property Distribution.**OR**☐ Other:_____.**7. Hearing. Choose One.**

On the _____ day of _____, 20____ the Court held a:

☐ Default hearing.**OR**☐ Uncontested hearing. The parties agreed to all issues in this case.**OR**☐ Contested hearing. The parties disagree on the following:☐ Some issues in the petition for dissolution☐ Some issues with the parenting plan☐ Some issues with the property distribution**8. Appearances.****a. Petitioner**☐ appeared in person ☐ without a lawyer ☐ with a lawyer _____**b. Respondent**☐ appeared in person ☐ without a lawyer ☐ with a lawyer _____**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The court considered the evidence at the hearing and all pleadings, and finds:

9. Jurisdiction of the Parties

☐ For 90 days before this case was filed, either the husband or wife domiciled or was stationed in Montana.

10. Venue

☐ Venue is proper.

11. Irretrievable Breakdown. *Choose all that apply.*

- ☐ The marriage of the parties is irretrievably broken.
- ☐ The parties lived separate and apart for at least 180 days before this case was filed
- ☐ There is serious marital discord that adversely affects the attitude of one or both of the parties toward the marriage and there is no reasonable prospect of reconciliation.
- ☐ The Montana conciliation Law (beginning at §40-3-101, M.C.A.) does not apply in this case.

12. Jurisdiction of the Children. *Choose the most accurate description.*

☐ The child(ren) lived in Montana for at least 6 consecutive months immediately before this case was filed. If a child(ren) is less than six months old, the child(ren) lived in Montana since birth.

OR

☐ Montana was the home state of the child(ren) within six months of this case being filed, and one parent continues to reside in Montana.

OR

☐ The child(ren) and one parent have significant connection with Montana and substantial evidence about them is in Montana.

OR

☐ The child(ren) are physically present in Montana and have been abandoned, the child(ren) are with a caretaker relative who was given custody, or an emergency exists requiring the child(ren)'s protection.

OR

☐ No other state has jurisdiction over the child(ren) or the other state has declined jurisdiction over the children.

13. Financial Disclosure of Assets and Liabilities. The Court finds that the parties are in compliance with financial disclosure requirements § 40-4-252 through 4, MCA.

14. Parenting Plan *Choose One*

The court finds the following parenting plan to be in the best interests of the child.

- ☐ Petitioner's Proposed Parenting Plan ☐ as modified
- ☐ Respondent's Proposed Parenting Plan ☐ as modified
- ☐ The Agreed Proposed Parenting Plan ☐ as modified
- ☐ The Court's parenting plan.

15. Property Distribution. *Choose One.*

The court finds the following property disbursement is an equitable apportionment between the parties of the marital property and assets and liabilities

- ☐ Petitioner's Proposed Property Disbursement ☐ as modified
- ☐ Respondent's Proposed Property Disbursement ☐ as modified
- ☐ The Agreed Proposed Property Disbursement ☐ as modified
- ☐ The Court's Property Disbursement

16. Spousal Maintenance

- ☐ Spousal maintenance was not requested by either party.

OR

- ☐ The court finds that spousal maintenance is necessary because: _____

17. Parties Names

- ☐ If requested by either party, the husband or wife should have a previous name restored.

18. Additional Findings

- ☐ The court makes additional findings of fact as follows: _____

- ☐ Additional Findings of Fact and Conclusions of Law attached as Exhibit ____ as also incorporated into this decree.

DECREE OF DISSOLUTION OF MARRIAGE

From the above Findings of Fact and Conclusions of Law, the Court orders the following:

1. The Court dissolves the marriage between Petitioner and Respondent.
2. The court dissolves the Temporary Economic Restraining Order issued in this matter under M.C.A. § 40-4-121(3).
3. The Court has signed and adopts the Parenting Plan identified as Exhibit _____. The Court orders the parties to follow this Parenting Plan.
4. The Court has signed and adopts the Property Distribution identified as Exhibit _____. The Court orders the parties to follow this Property Distribution.
5. Each party is ordered to take any action necessary to carry out the terms and conditions of this decree including the signing or transfer of titles, deeds, or other documents. All necessary actions must be completed no later than: _____.
6. Wife's name will ☐ remain ☐ be restored to: _____
7. Husband's name will ☐ remain ☐ be restored to: _____
8. Spousal Maintenance: *Choose One*
☐ No spousal maintenance is awarded in this case.

OR

☐ Court orders ☐ Petitioner ☐ Respondent pay \$_____ per month until *(date of last payment)* _____ in spousal support. The payment must be made on the ____ of each month directly to ☐ Petitioner ☐ Respondent

9. Other Provisions:

 _____.

DATED this ____ day of _____, 20____.

DISTRICT COURT JUDGE

MP 703